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HEADLINE: Senator's Undisclosed Influence Aided Shoppers

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BODY:

State Sen. Ulysses Currie's actions involving the grocery store chain that paid him as a consultant were, for the most part, decidedly mundane: He nudged the machinery of government on such issues as the installation of a traffic light and the approval of a parking lot entrance.

Yet those matters, the focus of a federal investigation into Currie, chairman of one of the Maryland legislature's most powerful committees, were hardly inconsequential to the grocery chain, experts and people involved in some of the discussions say.

In 2004, when Currie (D-Prince George's) prodded the State Highway Administration to reconsider its denial of a request for a traffic light in Laurel, the company played "hardball" over the issue, said Janet Owens (D), who was then Anne Arundel County executive. She said Shoppers Food and Pharmacy threatened to forgo rebuilding the store, which had been destroyed in a fire, if the light was not allowed.

"These are not small issues," said Peter Framson, a real estate broker in Bethesda who focuses on retail. "If getting in and out of a particular shopping center is easier than getting in and out of another shopping center, that is going to have an effect on where you shop. . . . It will show up at the cash register."

Nor were they inconsequential to residents who opposed them. In College Park, residents fought a bid by Shoppers to sell beer and wine at a store in their neighborhood. Dozens of residents, including members of the city council, attended a 2005 hearing before the county liquor board, at which, despite their opposition, a license was granted.

Like others, Shirley Sabin, 73, was dismayed to learn later that the grocery chain had hired Currie as a consultant -- a fact he did not mention on financial disclosure filings. The lawmaker was also present at the meeting, although he did not speak. "We had a chance to talk, but we might as well have been talking to the brick wall," Sabin said of the efforts to persuade the liquor board to deny the license. "I could have stayed home for those 10 hours."

Currie, 70, chairman of the budget and taxation committee, has referred all questions to his attorney, Dale Kelberman. Kelberman has declined to comment.

Supervalu Inc., Shoppers' parent company, has declined to comment except to confirm Currie's role as a consultant. Haley M. Meyer, a Supervalu spokeswoman, has said that the company is cooperating with federal authorities. Currie did not disclose the relationship in the state-required filings.

Some of the lawmaker's colleagues have come to his defense, arguing that his advocacy on behalf of a major employer based in his county is nothing unusual.

Even so, in interviews last week, some senators expressed bewilderment at Currie's failure to disclose the relationship. One former senator, John A. Giannetti Jr., said Currie told him in 2004 that he was working for Shoppers, but many others, including Senate leaders and several members of the county's delegation, said Currie never discussed his consulting work.

Owens said she knew of no such tie in 2004, when Currie approached her about the light at the store in Anne Arundel. She said she thought he had taken an interest because his constituents shopped at the Laurel store. She said she would have ended the conversation had she known he was being paid by the company.

"I would have said, 'That's a no-no. Let's be careful here,' " she said.

Currie's involvement in the traffic light issue, detailed in SHA records recently made public, has angered some residents of Maryland City. They complained that the light, sandwiched between two existing lights on traffic-clogged Fort Meade Road, has worsened their commutes.

"It's a major thoroughfare, and in the afternoons it gets very backed up," said Tim Reyburn, president of a local community association. "It's just like you're in Northern Virginia, and then there's one more light."

State Highway Administration officials have said the agency's decisions were not based on any entreaties from Currie but on safety and engineering principles.

The documents, however, make clear that contact from Currie could focus the attention of senior officials on such issues as traffic lights and other road improvements. Such details are critical to retailers, particularly given the narrow profit margins of grocery stores, said Michael Beyard, a senior fellow at the Urban Land Institute who focuses on retail and entertainment development.

"For a retailer moving into a very, very competitive market, they want to make sure that they have every advantage," he said. "If a customer comes there once and gets caught in traffic and is delayed, they may not come back."

In 2003, the SHA denied a light at the Shoppers store in Laurel, and engineers reiterated that decision in a memorandum the next year, citing the "impact of another signal on safety and operations" on Fort Meade Road. But the records show that SHA engineers reconsidered after a meeting later that month with Currie, Owens and another state senator. Neil J. Pedersen, head of the SHA, tracked the issue personally. A few weeks after receiving a phone call from

Currie, he asked an underling for a status report. "I need to eventually update Senator Currie," he wrote in an e-mail.

The request for a light was approved in January 2005, which set in motion a process that led to a permit being formally issued. In a March e-mail, Pedersen noted how important the project was to Currie and encouraged his staff to do "all that we can" to expedite the permit before the store's May 1 opening, noting that the agency's budget and other priorities were pending before Currie's committee.

Pedersen had been the subject of Currie's attention in a Shoppers-related matter a year earlier, as well. In August 2003, Currie sent Pedersen a consultant's traffic study that showed that a new light was warranted at a store in Owings Mills. After promising an "expedited" review because of Currie's involvement, SHA engineers concluded by mid-September that a light was not warranted.

Still, the issue lingered for months. The SHA reviewed the decision in January 2004, coming to the same conclusion. In February, Pedersen wrote an e-mail to a staff worker indicating that Currie asked about the issue "every time he sees me." The issue came up again in March, as the consultant submitted a new report and met at the site with Pedersen. Again, the SHA determined that a light was not warranted.

Finally, in July, Pedersen wrote a Shoppers executive to inform him that the SHA had decided for the first time to allow cars to make left turns out of the grocery's parking lot, but the light had not been approved. "We would be glad to revisit the possibility of signalization in the future," Pedersen wrote.

He copied Currie on the letter.

"Anyone could have prodded the transportation administration and kept after them on behalf of their client," said Ryan O'Donnell, executive director of Common Cause Maryland, an ethics watchdog group. "The difference is that Senator Currie had access. The question is, at what point are you using political access for your personal gain, as opposed to your constituents'? Where is that line drawn?"

Staff writer John Wagner and staff researcher Meg Smith contributed to this report.

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